

## Center for **Children's** Advocacy

University of Connecticut School of Law, 65 Elizabeth Street, Hartford, CT 06105

### **TESTIMONY OF THE CENTER FOR CHILDREN'S ADVOCACY IN SUPPORT OF SB-156 AN ACT CONCERNING SIBLING VISITATION FOR CHILDREN IN THE CARE AND CUSTODY OF THE COMMISSIONER OF CHILDREN AND FAMILIES**

This testimony is submitted on behalf of the Center for Children's Advocacy, a non-profit organization based at the University of Connecticut School Of Law. The Center provides holistic legal services for poor children in Connecticut's communities through individual representation and systemic advocacy.

**We strongly support Raised Bill 156 which will require the Department of Children and Families (DCF) to facilitate at least weekly visitation between siblings who have been removed from their homes due to abuse and neglect and who are placed separately by DCF. The legislation also directs the Department to meet with youth serving on the Department's Youth Advisory Boards to gather recommendations for a "Sibling Bill of Rights". This bill of rights would be incorporated into Department policy, shared with all children and youth in care, and submitted to the Select Committee on Children for consideration of possible further legislative action.**

#### **MICHAEL AND ANDREA: "I feel like I have no family."**

At the Center for Children's Advocacy we represent children of all ages who have suffered the dual traumas of abuse or neglect and removal from their families. Sometimes these children are even separated from their brothers and sisters, and they live without the comfort and familiarity that their siblings provide. We know these children, see their faces and hear their stories. We know the anguish and desolation they feel when they don't live with their families, when they feel alone and maybe even forgotten. Two of the Center's clients are Michael and Andrea. Michael is twelve years old and Andrea is seventeen. Michael and Andrea were removed from their home because of their mother's struggles with mental illness and her inability to meet their daily needs and keep them safe. But Michael and Andrea were not placed together. They were placed in two different group facilities located a half hour apart. Both of the children repeatedly ask to see each other and have requested regular visits where they can "be normal" and just "hang out together." Michael told his lawyer that in his group home, he "feels like [he] has no family." So far, Michael and Andrea have only been able to see each other once per month.

#### **The Research Shows -- Sibling Relationships are Critical for Abused and Neglected Children**

A report published by the Jim Casey Youth Opportunities Initiative finds that sibling relationships are critically important for youth.<sup>1</sup> Many teenagers in DCF care for example,

<sup>1</sup> JIM CASEY YOUTH OPPORTUNITIES INITIATIVE, SOCIAL CAPITAL: BUILDING QUALITY NETWORKS FOR YOUNG PEOPLE IN FOSTER CARE, ISSUE BRIEF #2, available at <http://www.jimcaseyyouth.org/new-issue-brief-social-capital-0>.



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have experienced great loss, deprivation, and abandonment in their lives. Many children, particularly older children who have grown up in DCF care, do not have a consistent caregiver or even a mentor to provide them with permanence, guidance and stability. Too many of these children do not have someone to say, "Michael, you are the most important person in the world to me."

For these reasons child welfare experts strongly recommend that those working with teens in foster care support sibling relationships.<sup>2</sup> Experts recognize that sibling relationships may well be the most important and intimate relationships that a young person can have.<sup>3</sup>

### **The Law Protects the Rights of Siblings**

The Department has acknowledged the importance of the sibling relationship, with former Commissioner Susan Hamilton saying that, "...keeping brothers and sisters together...provid[es] immeasurable benefits to the children."<sup>4</sup> State,<sup>5</sup> as well as federal,<sup>6</sup> law require siblings be placed together whenever possible. The Department's ability to maintain sibling groups is also one of the requirements being tracked by the court monitor in the *Juan F.* Exit Plan.<sup>7</sup> This requirement, that 95% of sibling groups are placed together in DCF care, is one of only six that the Department was unable to meet in the January 2012 report from the court monitor.<sup>8</sup> The Department has failed to meet this measure consistently over the past twenty-one quarters.<sup>9</sup>

It is important that while the Department continues to strive for placements that allow siblings to stay together that the agency also takes steps to preserve sibling relationships where children are split apart. SB 156 codifies what experts in the field agree to be good policy, frequent visitation for siblings who have been placed in separate homes.

### **Connecticut Should Join Those States That Already Guarantee Frequent Visitation for Siblings**

Nationwide, child welfare agencies legislatures have recognized the importance of sibling visitation and have taken measures to promote the maintenance of family relationship. In New York state, agencies are required to make diligent efforts to facilitate bi-weekly face-to-face visitation between siblings.<sup>10</sup> Missouri and Utah have requirement for weekly visits.<sup>11</sup> Nebraska has codified the important

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<sup>2</sup> CHILD WELFARE INFORMATION GATEWAY, SIBLING ISSUES IN FOSTER CARE AND ADOPTION (December 2006), *available at* [www.childwelfare.gov/pubs/siblingissues/siblingissues.pdf](http://www.childwelfare.gov/pubs/siblingissues/siblingissues.pdf).

<sup>3</sup> *Id.*

<sup>4</sup> Lisa Flower, *Connecting Brothers and Sisters*, DEPARTMENT OF CHILDREN AND FAMILIES (Jan. 29, 2009), <http://www.ct.gov/dcf/cwp/view.asp?a=3622&Q=432384>.

<sup>5</sup> CONN. AGENCIES. REGS. § 17a-101-13(c)(4) (2011) ("Make every attempt to place siblings together and maintain family ties.").

<sup>6</sup> 42 U.S.C. § 471(31)(a) (2006) ("to place siblings removed from their home in the same foster care, kinship guardianship, or adoptive placement, unless the State documents that such a joint placement would be contrary to the safety or well-being of any of the siblings.").

<sup>7</sup> *Juan F. v. Malloy Exit Plan Quarterly Report: July 1, 2011 - September 30, 2011, Civil Action No. 2:89 CV 859 (CFD)*, 8 (January 2012), *available at* [http://www.ct.gov/dcf/lib/dcf/publications/pdf/3rd\\_qtr\\_2011\\_report\\_final.pdf](http://www.ct.gov/dcf/lib/dcf/publications/pdf/3rd_qtr_2011_report_final.pdf).

<sup>8</sup> *Id.* at 4.

<sup>9</sup> *Id.* at 10.

<sup>10</sup> CHILD WELFARE INFORMATION GATEWAY at 10.

<sup>11</sup> *Id.*

requirement that frequent visitation be pursued by the child welfare agency.<sup>12</sup> Connecticut should join these states by providing sibling groups in the Department's care the opportunities they need to foster and maintain these important relationships.

Respectfully submitted,



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<sup>12</sup> *Id.*